IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.316 OF 2006
WITH
CIVIL APPLICATION NO.602 of 2006
IN
SECOND APPEAL NO.316 OF 2006

Abaji Babu Mare & Ors. .. Appellants.
Vs.
Subhash Sahebrao Parade & Ors. .. Respondents.

Mr.Nitin Jamdar for the appellants.

CORAM : D.B.BHOSALE, JJ.
DATED : 11TH JULY, 2007.

P.C.:

. Heard learned counsel for the appellants.

2. This appeal is directed against concurrent findings recorded by the court below dismissing the suit filed by the plaintiff for declaration that bund (tal) in dispute falls in his land and seeking reconstruction thereof which had allegedly been removed by the defendants. Both the courts below after considering evidence on record have concurrently held that the said bund in dispute is not a part and parcel of the land which belongs to the plaintiff. Considering the findings of fact recorded by the courts below and as I find sufficient material on record to sustain those findings and that no substantial question of law is involved in the appeal this appeal deserves to be dismissed and is dismissed as such. Consequently, civil application is also disposed of.

(D.B.BHOSALE, J.)